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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

GERARDO OSORIO ORTEGA,  
  
Petitioner,  
  
v.  
  
STATE OF NEVADA, et al.,  
  
Respondents.

Case No. 2:18-cv-01630-RFB-GWF  
  
ORDER

On September 5, 2018, the Court dismissed this *pro se* petition for writ of habeas corpus as improperly commenced because it was commenced without any petition. (ECF No. 3). In dismissing this action, the Court advised petitioner that no more documents could be filed in this case and that any petition and application to proceed *in forma pauperis* should be filed, if at all, only in a new action. (*Id.*)

Thereafter, on October 18, 2018, petitioner filed an application for leave to proceed *in forma pauperis* and a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. He captioned the filings with this case number and so they were filed in this case. Because this action is closed and petitioner has been advised to file any new pauper application and petition in a new action only, **IT IS ORDERED** the application for leave to proceed *in forma pauperis* and petition filed on October 18, 2018, (ECF No. 5 & 5-1) are hereby **STRICKEN**.

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**IT IS FURTHER ORDERED** that the Clerk shall send petitioner a copy of the pauper application and petition filed with the Court on October 18, 2018 (ECF Nos. 5 & 5-1).

IT IS SO ORDERED.

DATED this 29th day of October 2018.



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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE